



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

Case File: A-45-17

Property Address: 5608 Old Forge Circle

Property Owner: Douglas and Pauline Hanthorn

Project Contact: Douglas Hanthorn

Nature of Case: A request for an 18.7' street setback variance pursuant to Section 2.2.7.C. as well as a .33' side setback variance pursuant to Section 2.2.1. of the Unified Development Ordinance to construct a garage addition on the front of the existing detached house that results in a 47.7' street setback and a 9.7' side setback on a .45 acre property zoned Residential-4 and located at 2309 Ridge Road.

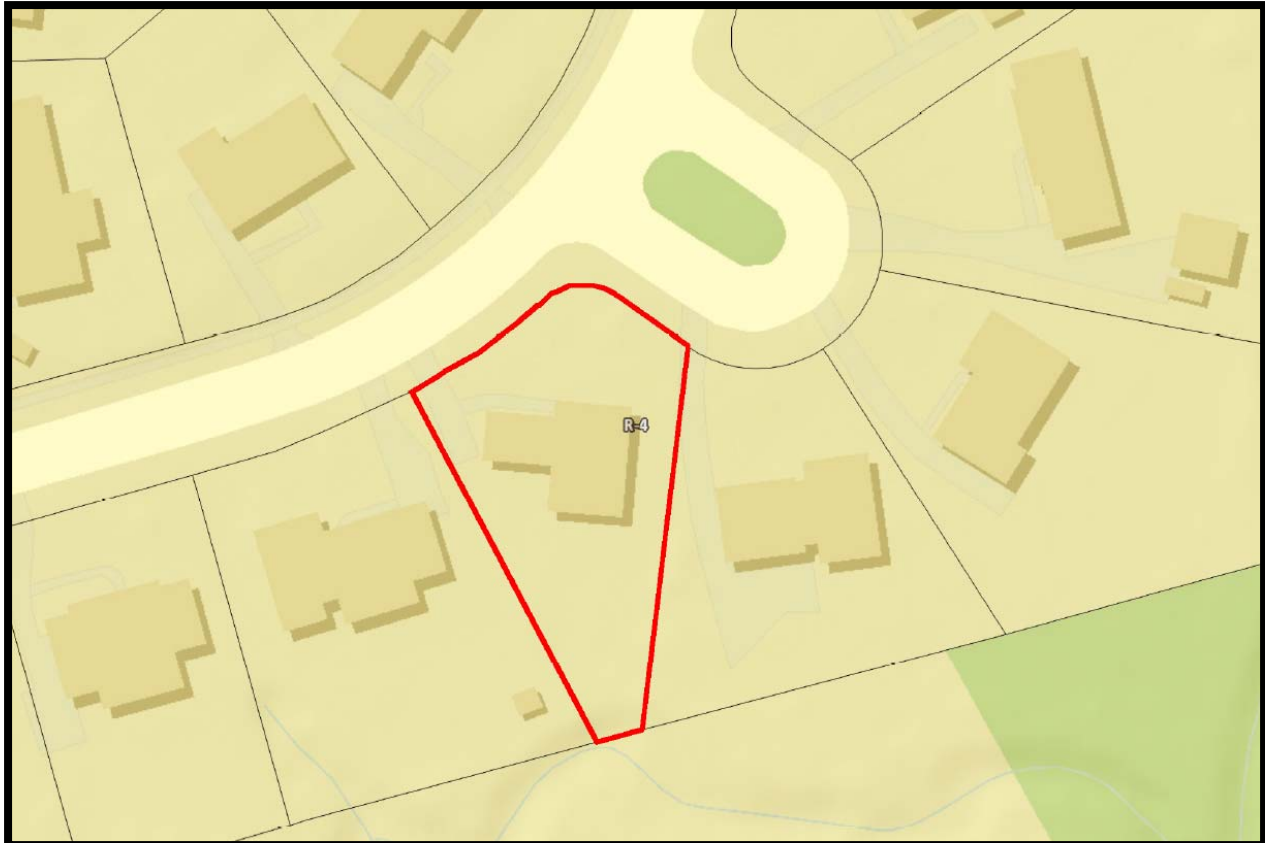


5608 Old Forge Circle – Location Map

To BOA: 4-10-17

Staff Coordinator: Eric S. Hodge, AICP

**ZONING
DISTRICTS:** Residential-4



5608 Old Forge Circle – Zoning Map

VARIANCE STANDARDS: In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from

personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Zoning District Standards: The subject property is zoned Residential-4

Lot Dimensions

Area (min)	10,000 SF
Width – interior lot (min)	65
Width – corner lot (min)	80'
Depth -	100;'

<u>Yard Type</u>	<u>Minimum Setback</u>
Primary Street	20'
Side Street	15'
Side	10'
Sum of Sides	20'
Rear	30'

Section 2.2.7 Residential Infill Compatibility

A. Intent

The intent of the residential infill compatibility standards is to accommodate and encourage compatible development in existing residential neighborhoods, while reinforcing the established character of the neighborhood and mitigating adverse impacts on adjacent homes.

B. Applicability

1. The standards contained within this section apply to any building in an R-4, R-6 or R-10 district where all of the following are present:

a. The total site area is 5 acres or less;

—.

b. At least 50% of the side and rear property lines abut existing detached or attached building types; and

—.

c. The lot must have been recorded for at least 20 years. This time period includes subsequent recombinations or subdivisions of the original lot configuration or recordation.

—.

2. These infill compatibility rules do not apply in a General or Streetside Historic Overlay District or in a Neighborhood Conservation Overlay District where height is regulated.

C. Street Setback

1. The proposed building must be located within the range of setbacks, no closer than the smallest setback in the range and no further than the largest setback in the range, except where a Neighborhood Conservation Overlay District applies an alternate setback.

2. On an interior lot, the range of setbacks is measured on the basis of the 2 closest lots in either direction along the block face.

3. On a corner lot, the range of setbacks is measured on the basis of the 3 closest lots along the primary block face.

4. Where the calculation cannot be applied to at least 4 lots on an interior lot or 3 lots on a corner lot, the building must meet the district standards.

Application for Variance



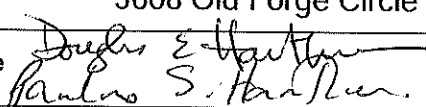
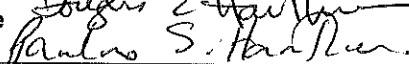
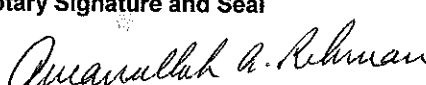
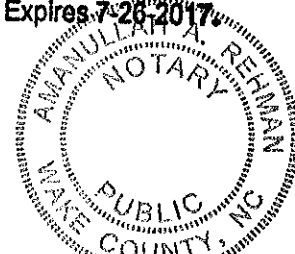
RALEIGH
DEPARTMENT OF
CITY PLANNING



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

NATURE OF REQUEST	OFFICE USE ONLY
<p>Nature of variance request (if more space is needed, submit addendum on separate sheet):</p> <p>The owners are requesting a 5.2 foot variance to the requirement of Section 2.2.7.C (Residential Infill Compatibility, street setback) of the Raleigh Uniform Development Ordinance. Please see Attachment A for details.</p>	<p>Transaction Number</p> <p>A-45-17</p>
<p>Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.</p>	

GENERAL INFORMATION		
Property Address 5608 Old Forge Circle, Raleigh, NC 27609		Date 03/10/2017
Property PIN 1716487261	Current Zoning R-4	
Nearest Intersection Old Forge Circle and Dumfries Drive		Property size (in acres) 0.27
Property Owner Douglas E. and Pauline S. Hanthorn	Phone 919-889-8655	Fax n/a
Owner's Mailing Address 5608 Old Forge Circle	Email dhanthorn@nc.rr.com	
Project Contact Person Douglas Hanthorn	Phone 919-889-8655	Fax n/a
Contact Person's Mailing Address 5608 Old Forge Circle	Email dhanthorn@nc.rr.com	
Property Owner Signature  	Email dhanthorn@nc.rr.com	
<p>Notary</p> <p>Sworn and subscribed before me this <u>9th</u> day of <u>MARCH</u>, 20 <u>17</u></p>	<p>Notary Signature and Seal</p> <p></p> <p>My Commission Expires <u>7-28-2017</u></p> <p></p>	

Attachment A

Variance Application

5608 Old Forge Circle

Douglas E. Hanthorn and Pauline S. Hanthorn

Douglas Hanthorn and Pauline Hanthorn, owners of 5608 Old Forge Circle are requesting a 5.2-foot variance to Section 2.2.7.C (Residential Infill Compatibility, street setback) of the Raleigh Uniform Development Ordinance. We are planning to deconstruct our existing house at 5608 Old Forge Circle, donate it to charity, and build a new larger home in its place. We request this variance in order to fit our new home within the unusual shape of our lot.

Our current house is 28.6 feet from the front property line, and we are asking that we be allowed to place our new house with the same 28.6-foot setback from the front property line. (In addition to the survey of the new house location, we have added a second survey showing the new house overlaid on the old house.) We have modified the design of the new house to alter the shape of a covered porch and balcony (at the left rear of the house, shown on sheet L1 of the architect's drawings) in order to be able to keep the house within the 10-foot side line setback requirement. Our lot is shaped like a piece of pie, with a back line that is only 20 feet wide. This shape creates hardship and practical difficulty in locating our proposed new house on the lot. We can only move the house back so far to meet the infill requirement without encroaching on the 10-foot side line setbacks. In addition, we have a 50-foot riparian buffer to accommodate due to a stream that cuts across the back of our lot. Our surveyor and architect have consulted on positioning the house, and are unable to reposition the house in order to move it back any further from the street.

PRELIMINARY PLOT PLAN FOR

DOUGLAS & PAULINE HANTHORN

LOT 79, FALLS CHURCH SUBDIVISION, SEC.3

5608 OLD FORGE CIRCLE

REF: D.B. 15379, PAGE 1023

REF: B.M. 1969, PAGE 346

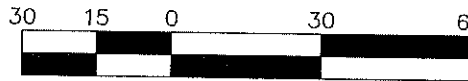
CITY OF RALEIGH

WAKE COUNTY, NORTH CAROLINA

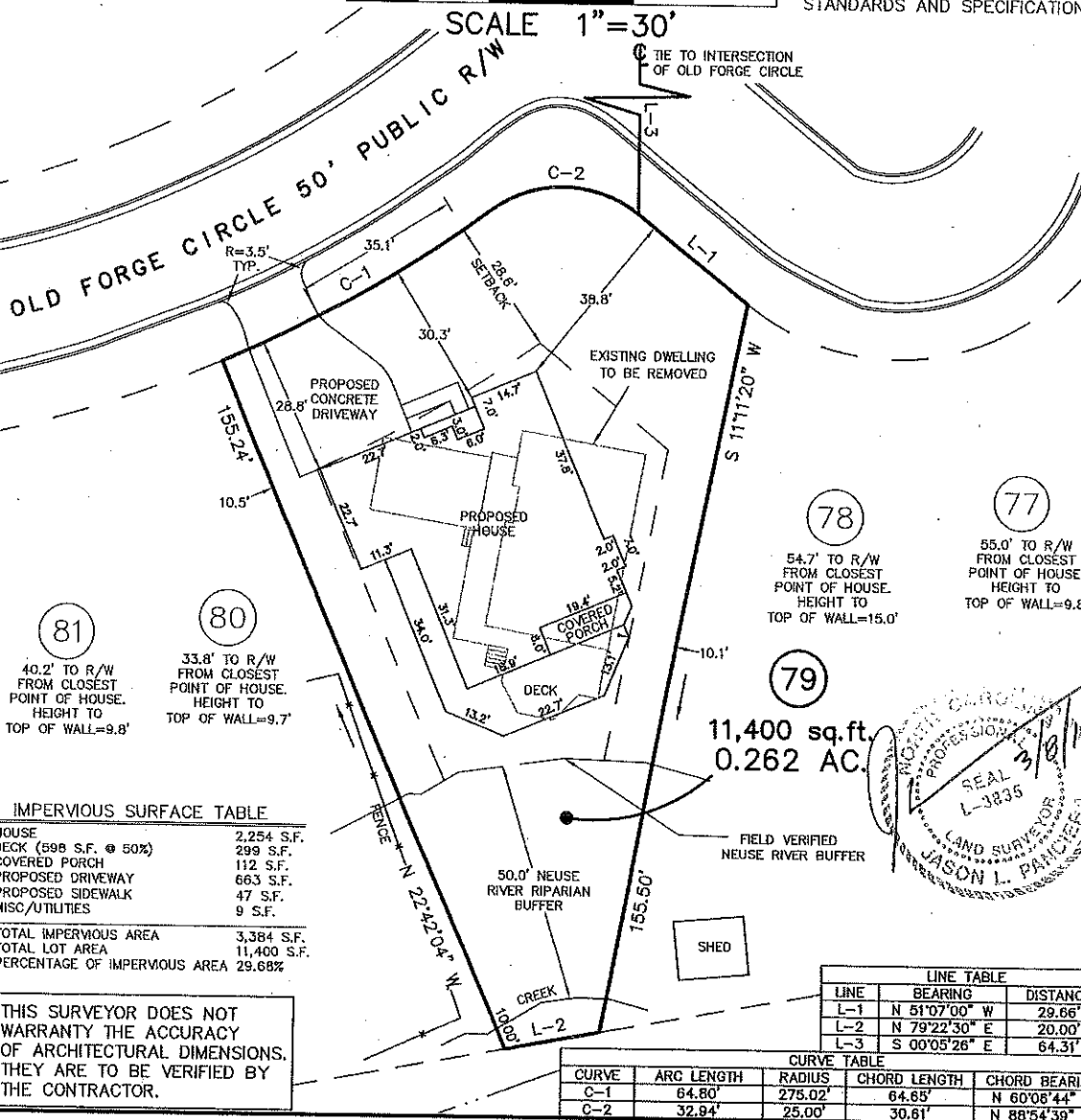
MARCH 8, 2017

ZONING R-4

PLAN INFORMATION BLOCK		
FOOTPRINT	TOTAL SQ. FT.	STORIES
CRWL	BASEMENT	FACADE
SLAB	MEAN HEIGHT	TOP SURFACE AREA



NOTE: ALL CONSTRUCTION SHALL BE DONE IN ACCORDANCE WITH ALL CITY OF RALEIGH AND NCDOT STANDARDS AND SPECIFICATIONS



IMPERVIOUS SURFACE TABLE

HOUSE	2,254 S.F.
DECK (598 S.F. @ 50%)	299 S.F.
COVERED PORCH	112 S.F.
PROPOSED DRIVEWAY	663 S.F.
PROPOSED SIDEWALK	47 S.F.
MISC/UTILITIES	9 S.F.
TOTAL IMPERVIOUS AREA	3,384 S.F.
TOTAL LOT AREA	11,400 S.F.
PERCENTAGE OF IMPERVIOUS AREA	29.68%

THIS SURVEYOR DOES NOT WARRANTY THE ACCURACY OF ARCHITECTURAL DIMENSIONS. THEY ARE TO BE VERIFIED BY THE CONTRACTOR.

LINE	BEARING	DISTANCE
L-1	N 51°07'00" W	29.66'
L-2	N 79°22'30" E	20.00'
L-3	S 00°05'26" E	64.31'

CURVE	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING
C-1	64.80'	275.02'	64.65'	N 60°08'44" E
C-2	32.94'	25.00'	30.61'	N 88°54'39" W

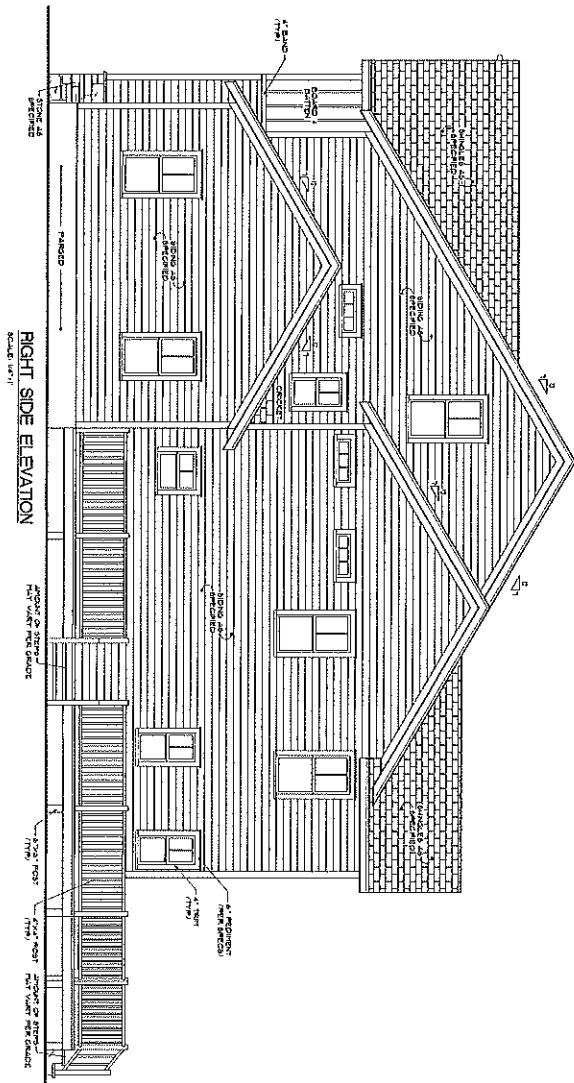
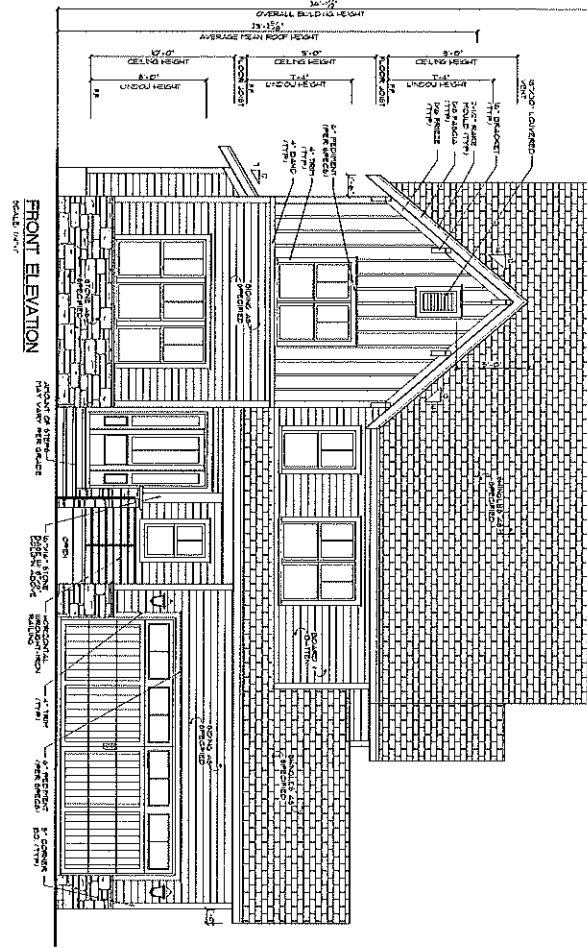
CAWTHORNE, MOSS & PANCIERA, P.C.

Professional Land Surveyors
C-1525

333 S. White Street
Post Office Box 1253
Wake Forest, N.C. 27588
(919)556-3148

NOTES:

-THIS PLAN DOES NOT REFLECT AN ACTUAL SURVEY. IT IS A PRELIMINARY PLAN AND SHOULD BE USED FOR ITS INTENDED PURPOSE ONLY.
-NOT FOR RECORDATION, CONVEYANCES, OR SALES.



HANTHORN RESIDENCE



FRAZIER HOME DESIGN, LLC.

900 RIDGEFIELD DRIVE, SUITE 170
RALEIGH, NC 27609
OFFICE: (919) 424-7245

DATE: 08/28/17

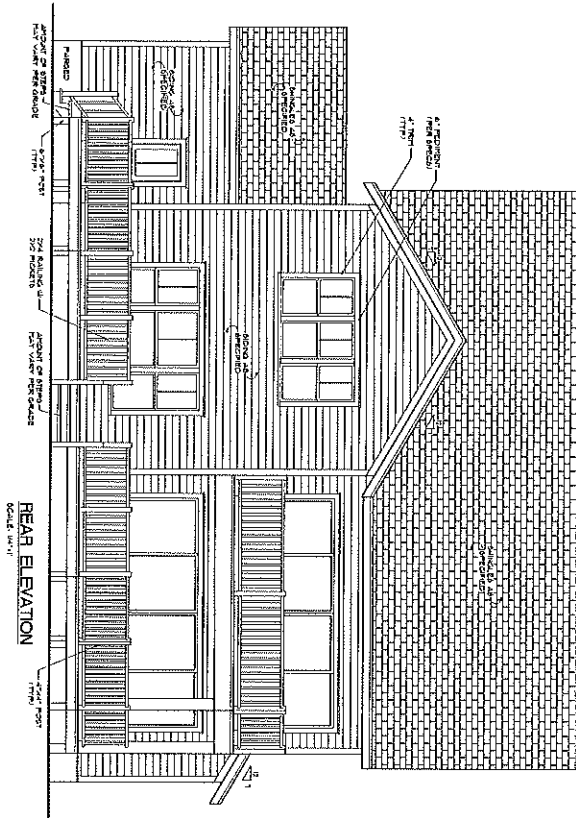
DRAWN BY: JJ

REVISION DATE:

ELEVATIONS

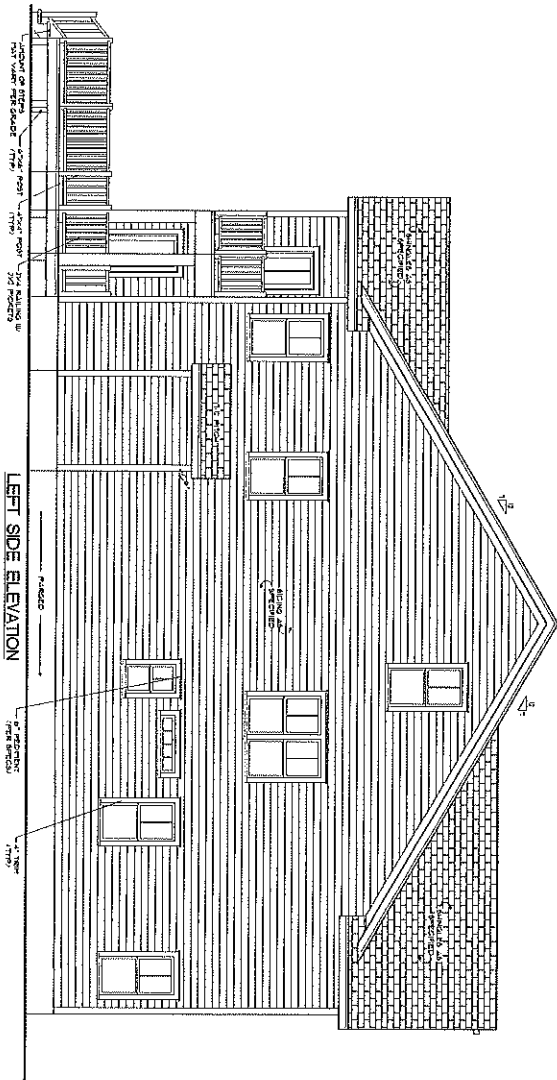
SHEET NO.

A1



REAR ELEVATION

SCALE: 1/8" = 1'



LEFT SIDE ELEVATION

SCALE: 1/8" = 1'

HANTHORN RESIDENCE



FRAZIER HOME DESIGN, LLC.

900 RIDGEFIELD DRIVE, SUITE 170
RALEIGH, NC 27609
OFFICE: (919)-424-7245

DATE: 03/02/2017

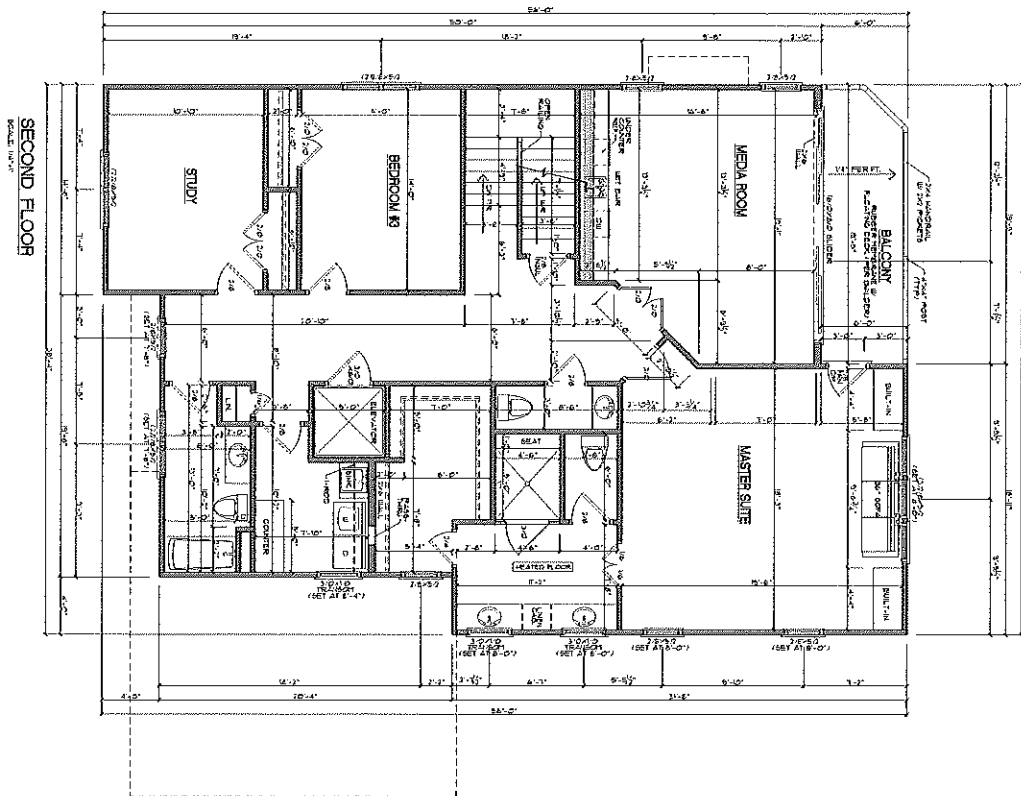
DRAWN BY: J.

REVISION DATE:

ELEVATIONS

SHEET NO.

A2



HANTHORN RESIDENCE



FRAZIER HOME DESIGN, LLC.

900 RIDGEFIELD DRIVE, SUITE 170
RALEIGH, NC 27609
OFFICE: (919)-424-7245

DATE: 02/20/17

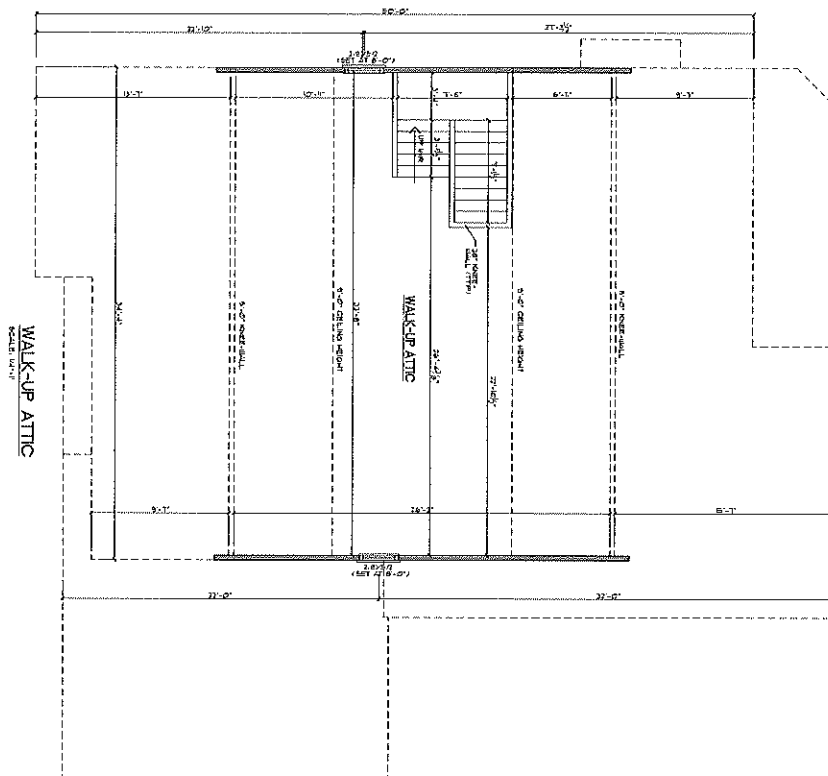
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REVISION DATE:

SECOND FLOOR

SHEET NO.

A4



HANTHORN RESIDENCE



FRAZIER HOME DESIGN, LLC.

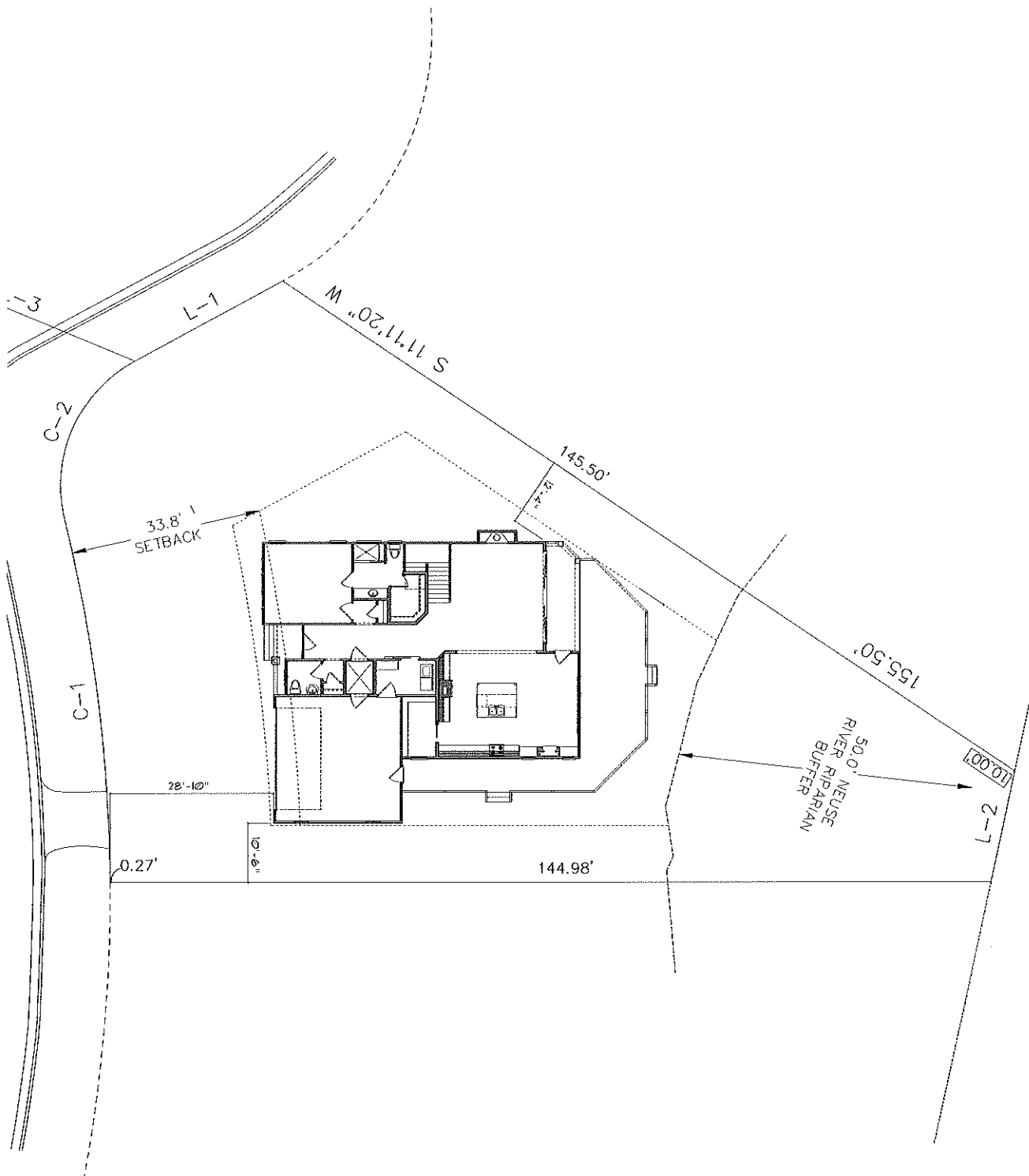
900 RIDGEFIELD DRIVE, SUITE 170
RALEIGH, NC 27609
OFFICE: (919)-424-7245

SHEET NO.

A5

WALK-UP ATTIC

DATE: 03/02/17
DRAWN BY: JJ
REVISION DATE:



HANTHORN RESIDENCE



FRAZIER HOME DESIGN, LLC.

900 RIDGEFIELD DRIVE, SUITE 170
RALEIGH, NC 27609
OFFICE: (919)-424-7245

SHEET NO.

L1

SITE LAYOUT

DATE: 03/02/2017
DRAWN BY: JI
REVISION DATE:

1716487261
HANTHORN, DOUGLAS E HANTHORN,
PAULINE SUSAN
5608 OLD FORGE CIR
RALEIGH NC 27609-4032

1716475731
RALEIGH RACQUET CLUB INC THE
5516 FALLS OF NEUSE RD
RALEIGH NC 27609-4760

1716485184
MCRACKAN, ROBERT S MCRACKAN,
DEBORAH W
5600 OLD FORGE CIR
RALEIGH NC 27609-4032

1716485332
CAMENISCH, JONATHAN D. CAMENISCH,
REBECCA C.
5600 DUMFRIES DR
RALEIGH NC 27609-4004

1716486186
BOETTLER, JEFFREY PAUL TRUSTEE
BOETTLER, MARIANNE ...
5604 OLD FORGE CIR
RALEIGH NC 27609-4032

1716486334
ARROWWOOD RDU LLC
PO BOX 348
SOUTHERN PINES NC 28388-0348

1716486490
AULL, RAY A
5609 OLD FORGE CIR
RALEIGH NC 27609-4031

1716488240
TAYLOR, ANTHONY TAYLOR, THERESA
5612 OLD FORGE CIR
RALEIGH NC 27609-4032

1716488493
LEIVO, PATRICE M
5700 OLD FORGE CIR
RALEIGH NC 27609-4034

1716489254
THOMPSON, RANSFORD THOMPSON,
JACQUELINE
5616 OLD FORGE CIR
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1716489344
GILES, BERT SR HEIRS
LARRY D GILES
PO BOX 2051
CHAPEL HILL NC 27515-2051